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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,999	01/10/2000	LEE EVEN NAKAMURA	A7631/ST9-97	3788

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EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/479,999

Applicant(s)

NAKAMURA ET AL.

Examiner

Cong-Lac Huynh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-12 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 7-12 and 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Appeal Brief filed 8/11/03 of application filed on 01/10/00 which is a continuation of the application 08/892,842 filed on 7/11/97, now US Pat No. 6,178,433 B1.
2. Claims 7-12, 27-31 are pending in the case. Claims 7, 11 and 27 are the independent claims.
3. The rejections of claims 7-12, 27-31 under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Benedikt have been withdrawn in view of Applicants' arguments.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-12, 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levine et al. (US Pat No. 6,405,221 B1, 6/11/02, filed 10/20/95).

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Regarding independent claim 7, Levine discloses:

- defining the first variable equal to the first information and the second variable equal to the second information (figure 14, #100 and col 8, lines 25-61: defining parameters for the categories such as Page Length, Graphics, etc... which are considered equivalent to defining variables for each category Page Length, Graphics, etc...where the Page Length and Graphics are the different information portions included in the single web page as seen in figures 4 and 5)
- defining, in a second portion of the file, the first and second presentation layout, wherein said first presentation layout include said first variable and said second presentation layout includes said second variable (col 9, lines 13-22: "*a second portion of the computer readable code creates a window on the display screen having the capability of receiving a variable but requested grouping of data therein*"; figure 14, #100 and col 8, lines 25-61: defining parameters for the categories such as Page Length, Graphics, etc... which are considered equivalent to defining variables for each category Page Length, Graphics, etc...where the Page Length and Graphics are the different information portions included in the single web page; the fact that the window has the capability of receiving a variable of requested data to be displayed thereon where the requested data are the given categories with associated parameters shows that Levine defines the presentation layouts corresponding with the associated parameters or variables)

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- generating a page of presentation material in response to a request for an information, wherein the page is generated based on the first information layout and includes the first information and does not contain the second information (abstract; figure 5 and col 4, line 47 to col 5, line 33: upon selecting the topic "Links", the page is generated based on the selected information layout and includes the information of "Links" and does not contain information of other topics such as Page Length, Graphics, etc...; figure 7, #40a, #40b, #40c and col 6, lines 35-47: upon selecting a topic such as A, B, or C, only the A information, the B information, or the C information is displayed respectively)

Levine does not explicitly disclose that "defining the first variable equal to the first information and the second variable equal to the second information" should be in the first portion of the file. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Levine to include said defining in the first portion of the file since Levine does teach defining variables for the corresponding information, which means said defining is already included in the file, thus motivating of moving the defining part to the first portion of the file.

Regarding claims 8 and 10, which are dependent on claim 7, Levine discloses that said page is World Web page for displaying on the web browser and the request, which is actually a hyperlink, includes a uniform resource locator URL (col 2, lines 10-43; figure 5: the request "Links" is a hyperlink).

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Regarding claim 9, which are dependent on claim 7, Levine discloses that the web browser does not support a hypertext markup language frame tag (figures 4-5)

Claims 11-12 are for a system of method claims 7-10, and are rejected under the same rationale.

Claims 27-31 are for a system of method claims 7-10, and are rejected under the same rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 7-10, 27-31 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Brown and Benedikt do not disclose the claimed limitations specially "generating a page of presentation material in response to a request for said first information, wherein the page is generated based on the first presentation layout and includes said first information and does not contain said second information."

Examiner agrees.

Levine discloses and suggests the claimed limitations. See the claim rejections above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Palmer. (US Pat No. 6,078,403, 6/20/00, filed 10/21/96).

Cohen (US Pat No. 5,751,968, 5/12/98, filed 5/9/96).

Tso et al. (US Pat No. 6,072,598, 6/6/00, filed 9/24/97).

Brown et al. (US Pat No. 5,887,133, 3/23/99, filed 1/15/97).

Klassen et al. (US Pat No. 6,212,536 B1, 4/3/01, filed 1/8/98).

Perkowitz et al. (US Pat No. 6,138,128, 10/24/00, filed 4/2/97).

Carter et al. (US Pat No. 6,574,607 B1, 6/3/03, filed 3/3/97).

Holloway (US Pat No. 6,424,718 B1, 7/23/02, filed 6/11/97).


Olson-Williams et al. (US Pat No. 6,185,588 B1, 2/6/01, filed 12/31/96).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
10/31/03


STEPHEN S. HONG
PRIMARY EXAMINER